

# SENATE JOURNAL

SEVENTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

## PROCEEDINGS

### FIRST DAY

(Tuesday, January 10, 1989)

In accordance with the Constitution and Laws of the State of Texas, the Senate of the Seventy-first Legislature met in the Senate Chamber of the State Capitol on Tuesday, the tenth day of January, 1989, at 12:00 noon.

The Honorable William P. Hobby, Lieutenant Governor and President of the Senate, called the Senate to order.

The Reverend Chris Steele, Chaplain of St. Luke's Hospital and Texas Heart Institute of Houston, Houston, Texas, offered the invocation as follows:

O God, of unchangeable power and eternal might; look with favor upon this State, its habitants, and this gathering.

By the effective working of Your providence carry out in tranquility Your plans for Your people.

We commend to Your protection and guidance this assembly of leaders. Send Your blessing upon them—and especially William, our Lieutenant Governor—that, as they face the difficult tasks of the weeks and months ahead, they may know themselves to be empowered by You alone, to honor those whom they have sworn to serve.

When You created us in Your image, You said, "Behold, it is very good." Now, Your people turn to You for help. They cry out for want of subsistence: for health care and shelter; for food and education.

When it seems that there is none to help do not abandon us, O God, to the forces of darkness, despair, apathy, self-service. For You, O God, are our great physician. You ministered to all who came to You. Your compassion knows no bounds.

Enable us to sustain the downtrodden; to tend the sick; give rest to the weary; care for all who suffer.

We remember before You this day all who have served in this Senate in years past; all who have departed this life; those known and loved within this gathering; those known but to You, who have died forgotten, neglected, alone; those who have died from AIDS.

May the earth keep them for cherishing and may they rest in Your eternal peace.

And now, may the Lord bless us and keep us. May the Lord make His face to shine upon us and be gracious unto us. May the Lord lift up His countenance upon us and give us peace. Amen.

**INTERPRETER FOR THE DEAF**

Senator Brooks was recognized and introduced Mark Seeger, associated with the Texas Commission for the Deaf. Mr. Seeger continued to interpret the proceedings for hearing-impaired guests.

**ROLL CALL OF PRESENT SENATORS**

The President directed the Secretary of the Senate to call the roll of the present Members of the Senate.

The roll was called and the following Senators answered to their names:

The Honorable Ken Armbrister, representing the Eighteenth Senatorial District composed of: Aransas, Bastrop, Caldwell, Calhoun, De Witt, Fayette, Goliad, Gonzales, Jackson, Karnes, Lavaca, Lee, Matagorda, Refugio, Victoria, Brazoria (part), Fort Bend (part) and Williamson (part) counties.

The Honorable Chet Brooks, representing the Eleventh Senatorial District composed of: Galveston (part) and Harris (part) counties.

The Honorable Kent A. Caperton, representing the Fifth Senatorial District composed of: Austin, Brazos, Burleson, Colorado, Grimes, Houston, Leon, Madison, Milam, Robertson, Trinity, Walker, Waller, Washington, Wharton, Harris (part), Montgomery (part) and Williamson (part) counties.

The Honorable Gene Green, representing the Sixth Senatorial District composed of: Harris (part) County.

The Honorable Don Henderson, representing the Seventh Senatorial District composed of: Harris (part) County.

The Honorable Eddie Bernice Johnson, representing the Twenty-third Senatorial District composed of: Dallas (part) and Tarrant (part) counties.

The Honorable John N. Leedom, representing the Sixteenth Senatorial District composed of: Dallas (part) County.

The Honorable Bob McFarland, representing the Tenth Senatorial District composed of: Dallas (part), Denton (part) and Tarrant (part) counties.

The Honorable Hugh Parmer, representing the Twelfth Senatorial District composed of: Tarrant (part) County.

The Honorable H. Tati Santiesteban, representing the Twenty-ninth Senatorial District composed of: El Paso (part) County.

The Honorable Bill Sims, representing the Twenty-fifth Senatorial District composed of: Bandera, Blanco, Brewster, Coke, Crane, Crockett, Culberson, Edwards, Gillespie, Glasscock, Hudspeth, Irion, Jeff Davis, Kendall, Kerr, Kimble, Loving, Mason, Medina, Menard, Midland, Pecos, Presidio, Reagan, Real, Reeves, Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, Val Verde, Ward, Winkler, Bexar (part), Comal (part) and El Paso (part) counties.

The Honorable Frank Tejeda, representing the Nineteenth Senatorial District composed of: Bexar (part) County.

The Honorable Hector Uribe, representing the Twenty-seventh Senatorial District composed of: Cameron and Hidalgo (part) counties.

The Honorable Craig A. Washington, representing the Thirteenth Senatorial District composed of: Fort Bend (part) and Harris (part) counties.

The Honorable John Whitmire, representing the Fifteenth Senatorial District composed of: Harris (part) County.

The Honorable Judith Zaffirini, representing the Twenty-first Senatorial District composed of: Atascosa, Bee, Dimmit, Duval, Frio, Guadalupe, Jim Hogg, Kinney, La Salle, Live Oak, McMullen, Maverick, Starr, Uvalde, Webb, Wilson, Zapata, Zavala, Bexar (part) and Comal (part) counties.

#### ROLL CALL OF SENATORS-ELECT

The President directed the Secretary of the Senate to call the roll of the Senators-elect as certified by the Secretary of State.

The roll was called and the following Senators-elect answered to their names:

The Honorable Gonzalo Barrientos, representing the Fourteenth Senatorial District composed of: Hays and Travis counties.

The Honorable Teel Bivins, representing the Thirty-first Senatorial District composed of: Armstrong, Bailey, Briscoe, Carson, Castro, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher and Wheeler counties.

The Honorable J. E. "Buster" Brown, representing the Seventeenth Senatorial District composed of: Brazoria (part), Fort Bend (part) and Harris (part) counties.

The Honorable Steve Carriker, representing the Thirtieth Senatorial District composed of: Archer, Baylor, Callahan, Childress, Clay, Cooke, Cottle, Denton (part), Dickens, Fisher, Floyd, Foard, Grayson, Hardeman, Haskell, Jack, Jones, Kent, King, Knox, Mitchell, Montague, Motley, Scurry, Shackelford, Stonewall, Throckmorton, Wichita, Wilbarger and Young counties.

The Honorable Temple Dickson, representing the Twenty-fourth Senatorial District composed of: Bell, Brown, Burnet, Coleman, Concho, Coryell, Lampasas, Llano, McCulloch, Mills, Nolan, Runnels, San Saba and Taylor counties.

The Honorable Chet Edwards, representing the Ninth Senatorial District composed of: Dallas (part), Ellis, Falls, Freestone, Henderson, Hill, Limestone, McLennan and Navarro counties.

The Honorable Bob Glasgow, representing the Twenty-second Senatorial District composed of: Bosque, Comanche, Denton (part), Eastland, Erath, Hamilton, Hood, Johnson, Palo Pinto, Parker, Somervell, Stephens, Tarrant (part) and Wise counties.

The Honorable Bill Haley, representing the Third Senatorial District composed of: Anderson, Angelina, Cherokee, Hardin, Jasper, Montgomery (part), Nacogdoches, Newton, Polk, Rusk, Sabine, San Augustine, San Jacinto, Shelby and Tyler counties.

The Honorable O. H. "Ike" Harris, representing the Eighth Senatorial District composed of: Collin (part) and Dallas (part) counties.

The Honorable Cynthia Taylor Krier, representing the Twenty-sixth Senatorial District composed of: Bexar (part) County.

The Honorable Ted B. Lyon, Jr., representing the Second Senatorial District composed of: Collin (part), Dallas (part), Fannin, Hunt, Kaufman, Rains, Rockwall, Smith, Van Zandt and Wood counties.

The Honorable John T. Montford, representing the Twenty-eighth Senatorial District composed of: Andrews, Borden, Cochran, Crosby, Dawson, Ector, Gaines, Garza, Howard, Lubbock, Lynn, Martin, Terry and Yoakum counties.

The Honorable Carl A. Parker, representing the Fourth Senatorial District composed of: Chambers, Galveston (part), Harris (part), Jefferson, Liberty, Montgomery (part) and Orange counties.

The Honorable Bill Ratliff, representing the First Senatorial District composed of: Bowie, Camp, Cass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Titus and Upshur counties.

The Honorable Carlos F. Truan, representing the Twentieth Senatorial District composed of: Brooks, Hidalgo (part), Jim Wells, Kenedy, Kleberg, Nueces, San Patricio and Willacy counties.

I, JACK M. RAINS, Secretary of State of the State of Texas, DO HEREBY CERTIFY that according to the records of this office the attached is a true and correct list, in alphabetical order, of the members of the Senate of the 71st Legislature, 1989, whose election on November 8, 1988, has been duly and legally certified to this office.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 6th day of January, A.D. 1989.

/s/JACK M. RAINS  
JACK M. RAINS  
SECRETARY OF STATE

A quorum was announced present.

#### **APPOINTMENT OF TEMPORARY OFFICERS**

The President announced the appointment of the following as temporary officers of the Senate:

Secretary of the Senate - Betty King  
Sergeant-at-Arms - Carleton Turner  
Calendar Clerk - Kay Hughes  
Enrolling Clerk - Patsy Spaw  
Journal Clerk - Margrette Vollers  
Doorkeeper - Jim Morris

#### **OATH OF OFFICE ADMINISTERED TO SENATORS-ELECT**

The President requested the Senators-elect to proceed to the Bar of the Senate.

The Honorable Jack Hightower, Justice of the Texas Supreme Court, administered the Constitutional Oath of Office to the Senators-elect.

#### **SENATE RESOLUTION 1 (Caucus Report)**

Senator Brooks offered the following resolution:

Honorable William P. Hobby  
Lieutenant Governor  
Senate of Texas  
Austin, Texas

Sir:

At a caucus held in the office of the Senate attended by 29 Members of the Senate, the following recommendations were made, to wit:

BE IT RESOLVED by the Senate, That:

The following officers were elected to serve for the 71st Legislature at the will of the Senate:

Secretary of the Senate - Betty King

Sergeant-at-Arms - Carleton Turner

Doorkeeper - James Morris

Calendar Clerk - Kay Hughes

Enrolling Clerk - Patsy Spaw

Journal Clerk - Margrette Vollers

All officers and employees appointed by this caucus shall hold their office of employment for the duration of the 71st Legislature.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name secretarial staff and assistants at salaries designated by the Lieutenant Governor and the Administration Committee respectively. The Parliamentarian, Steve Dial, is to be named by the Lieutenant Governor.

It is further recommended that the Administration Committee appoint a sufficient number of custodians, messengers, elevator operators, porters, and other employees as may be necessary. The Lieutenant Governor is authorized to designate any member of the Senate or Senate staff to attend official meetings of national governmental organizations during the 71st Legislature while in session. Actual and necessary expenses are hereby authorized as reimbursement for such trips.

It is further recommended that each Senator shall be permitted a maximum payroll of \$15,500 per month for secretarial and other office staff and for intrastate travel expenses for staff employees. Any unexpended portion of this amount may be carried forward from month to month until the end of the fiscal year. In order to accrue vacation leave, compensatory/overtime leave, or sick leave, employees of members must file monthly time sheets with the Senate Personnel Office by the 10th of the month following the month in which work was performed. Employees of members and committees must use compensatory/overtime accrued in a given month by the end of the same month of the following year. Compensatory/overtime accrued prior to January 1, 1989, will not be carried forward after January 1, 1990. No compensatory/overtime will be paid at either the end of the fiscal year or at an employee's termination.

The Lieutenant Governor, Senators, and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that the Lieutenant Governor, each Senator, and the Secretary of the Senate be permitted to subscribe for newspapers as necessary to be paid out of the contingent fund and be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that not to exceed 700 journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 journals shall be furnished the members of the House.

It is further recommended that the Legislative Reference Library be furnished 60 copies of the daily journal.

It is further recommended that all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the 71st Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for the payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, Members of the Senate, employees of the Senate committees, and employees of the

Senate, except as provided in Section 20 of the Legislative Reorganization Act (Article 5429f, Vernon's Texas Civil Statutes), upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies, and expenses of the Senate, including travel expenses for Members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate.

It is further recommended that no employee of the Senate shall, during the time employed by the Senate, furnish to any person, firm, or corporation any information other than general information furnished the public pertaining to the Senate, and the employee shall not without permission receive any compensation from any person, firm, or corporation during employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, Members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at 8 a.m. and 1:00 p.m. each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the chairman of each standing committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, and to discharge the duties of said standing committee, subject to the approval of the Administration Committee.

It is further recommended that no employee of the Senate, except one whose official duties require the employee to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, after the performance of which the employee shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have privileges of the floor during the session of the Senate shall be permitted on the Senate floor for a period of 30 minutes prior to the time the Senate convenes and 30 minutes after the Senate adjourns. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such 30-minute periods.

Respectfully submitted,

BROOKS

Chairman of the Caucus

HARRIS

Secretary of the Caucus

The resolution was read and was adopted viva voce vote.

**OATH OF OFFICE ADMINISTERED TO OFFICERS**

The President directed the officers of the Senate named in the Caucus Report to proceed to the Bar of the Senate.

The President administered the Constitutional Oath of Office to the officers.

**ELECTION OF PRESIDENT PRO TEMPORE FOR  
REGULAR SESSION OF THE SEVENTY-FIRST LEGISLATURE**

The President announced the election of the President Pro Tempore for the Regular Session of the 71st Legislature as the next order of business.

Senator Brown placed in nomination the name of Senator John Leedom of Dallas as the President Pro Tempore of the Senate, Regular Session, 71st Legislature.

Senators Sims, Harris, Parmer, Whitmire, Parker, Henderson, Krier, Johnson, McFarland, Santiesteban, Caperton, Uribe, Montford, Truan, Barrientos, Glasgow, Washington, Green and Brooks seconded the nomination.

On motion of Senator Brooks, Senator Leedom was elected by acclamation.

The President declared that the Honorable John Leedom had been duly elected President Pro Tempore of the 71st Legislature by voice vote and appointed Senators Brown, Sims, Harris, Parmer and Henderson to escort Senator Leedom and his wife, Betty, to the President's Rostrum.

The Honorable Lloyd Doggett, Justice, Supreme Court of Texas, administered the Constitutional Oath of Office to President Pro Tempore Leedom.

Senator Leedom addressed the Senate, expressing his pride to be given the opportunity to serve the Senate as President Pro Tempore.

**SENATE RESOLUTION 6**

Senator Glasgow offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, That the Rules of the Senate of the 70th Legislature are adopted as the Temporary Rules of the Senate of the 71st Legislature with the following modifications:

1. Amend the Senate Rules by adding Rule 62.1 to read as follows:

62.1. No applause, outbursts, or other demonstrations by any spectator shall be permitted during a session of the Senate. The Sergeant-at-Arms shall strictly enforce this rule.

2. Amend the Senate Rules by adding Rule 62.2 to read as follows:

62.2. No posters, placards, banners, or other similar material shall be carried into the Senate by any person, and no person shall attach or affix any poster, placard, banner, sign, or other similar material to the walls, rails, seats, or bannisters of the Senate Chamber.

3. Amend Subdivision (5), Rule 64, to read as follows:

(5) It shall be the duty of the Sergeant-at-Arms and [his] assistants to clear the Senate Chamber [hall] of all persons not entitled to the privilege thereof 30 minutes before the hour of the meeting of the Senate and for 30 minutes after each meeting of the Senate.

4. Amend Special Committees in Subsection (a), Rule 94, to read as follows:

(1) Committee on Administration (11 [~~+2~~] members)

(2) Committee on Nominations (7 members)

~~[(3) Committee on Rules (5 members)]~~

BE IT FURTHER RESOLVED, That for the duration of the Regular Session of the 71st Legislature the President of the Senate may appoint subcommittees of committees as need arises including but not limited to the following:

1. Natural Resources
  - Subcommittee on Agriculture (5 members)
  - Subcommittee on Water (5 members)
2. Health and Human Services
  - Subcommittee on Health Services (5 members)
3. Intergovernmental Relations
  - Subcommittee on Urban Affairs (5 members)
4. State Affairs
  - Subcommittee on Elections (5 members)

The resolution was read and was adopted by the following vote: Yeas 31, Nays 0.

#### SENATE CONCURRENT RESOLUTION 9

Senator Brooks offered the following resolution:

WHEREAS, Article III, Section 17, of the Texas Constitution provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 71st Legislature, That each house grant the other permission to adjourn for more than three days during the period beginning on January 11, 1989, and ending on January 16, 1989.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

#### GUEST PRESENTED

The President presented the Honorable Preston Smith of Lubbock, former member of the Texas House of Representatives, Texas Senate and Governor of the State of Texas.

Governor Smith briefly addressed the Senate.

#### SENATE RESOLUTION 5

Senator Parker offered the following resolution:

WHEREAS, It is a distinct honor for the Senate of the State of Texas to welcome the Honorable Jack Brooks, Congressman from the Ninth District of Texas; and

WHEREAS, Congressman Brooks was elected to the 83rd Congress from the Second District of Texas in 1952 and has served in succeeding congresses since that time, giving him the unique position of Dean of the Texas Delegation in Congress, as the member from Texas with the longest tenure of service in Congress; and

WHEREAS, A Texan by adoption, Jack moved to Beaumont at the age of five; he married a native daughter, Charlotte Collins, of Cameron on December 15, 1960, and is the proud father of son, Jeb, and daughters, Kate and Kim; and

WHEREAS, Jack Brooks entered politics in 1946 when he was elected to the Texas House of Representatives representing Jefferson County; during his terms he successfully coauthored the first increase in workmen's compensation in nearly 20 years; and

WHEREAS, During his long years in Washington, Congressman Brooks has worked unceasingly to represent the interests of his constituents and has been



instrumental in such legislation as construction of Rayburn Dam and Reservoir, improvements to deepwater channels to the Gulf of Mexico, development of Lamar University, and federal assistance in research programs of The University of Texas Medical School; and

WHEREAS, As a ranking member of the House Judiciary Committee, Congressman Brooks played a major role in writing the Civil Rights Act of 1964 and the Voting Rights Act of 1965; and

WHEREAS, Under his leadership, first as Chairman of the Subcommittee on Government Activities, and since 1975 as Chairman of the full committee, the Government Operations Committee has initiated oversight investigations and issued reports that have led to documented savings of billions of dollars and greatly increased the overall efficiency of the federal government; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby extend a hearty welcome and warmest regards to a distinguished gentleman and an outstanding congressman, the Honorable Jack Brooks; and, be it further,

RESOLVED, That a copy of this Resolution be prepared for Congressman Jack Brooks as an expression of great admiration and highest esteem from the Texas Senate.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Parker, the resolution was adopted viva voce vote.

#### GUEST PRESENTED

The President introduced Congressman Brooks to the Senate and presented an enrolled copy of S.R. 5 to him.

#### SENATE RESOLUTION 7

Senator Lyon offered the following resolution:

WHEREAS, The Senate of the State of Texas heartily congratulates esteemed former Member Bill Sarpalius on his election to the Congress of the United States; and

WHEREAS, His outstanding abilities have already been recognized by his fellow members in the Freshman Class of the 101st Congress, who elected him President of the Freshman Class; and

WHEREAS, His eight-year record in the Texas Senate is one of accomplishment and service to his constituency and bodes well for his potential as an effective congressman; and

WHEREAS, Bill Sarpalius came to the Senate in 1981 to represent the 31st Senatorial District—the Texas Panhandle—with an academic background in and extensive firsthand knowledge of agriculture; and

WHEREAS, After graduating from Cal Farley's Boys Ranch, he was President of the Texas Future Farmers of America, earned undergraduate and graduate degrees in agriculture, taught agriculture courses at Cal Farley's, and entered the field of agribusiness; and

WHEREAS, Senator Sarpalius's committee work and leadership has been exemplary, as have his efforts on behalf of needed legislation in a wide variety of areas; and

WHEREAS, An outstanding solon who passed more than 140 pieces of legislation, he was honored as Outstanding Public Servant, 1987, and Humanitarian of the Year, 1983; recipient of the Texas Farmers Union Legislative Award, Senator Sarpalius was cited by Mothers Against Drunk Driving, TIVA, and the Texas

Commission on Alcoholism for his superlative dedication to the welfare of all Texans; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby commend United States Representative Bill Sarpalius for his many accomplishments during the first 41 years of his life, congratulate him on the occasion of his birthday, and extend best wishes for continued success in all endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as a memento of his days as a Member of this body and as an expression of esteem from his former fellow Members in the Texas Senate.

The resolution was read.

On motion of Senator Edwards and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lyon, the resolution was adopted viva voce vote.

#### **GUEST PRESENTED**

Congressman Sarpalius received a welcome from the Senate and was presented an enrolled copy of S.R. 7.

#### **MOTION IN WRITING**

Senator Brooks submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) Members to notify the Governor that the Senate is organized and ready for business.

#### **BROOKS**

The motion was read and was adopted viva voce vote.

Accordingly, the President announced the appointment of the following as a Committee to Notify the Governor: Senators Parker, Chairman; Bivins, McFarland, Ratliff and Truan.

#### **MOTION IN WRITING**

Senator Brooks submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) Members to notify the House of Representatives that the Senate is organized and ready for business.

#### **BROOKS**

The motion was read and was adopted viva voce vote.

Accordingly, the President announced the appointment of the following as a Committee to Notify the House of Representatives: Senators Haley, Chairman; Armbrister, Carriker, Dickson and Washington.

#### **GUEST PRESENTED**

Senator Harris was recognized and introduced Dr. Bill Ross of Carrollton, serving as Physician for the Day.

Dr. Ross received an expression of appreciation from the Senate for his service.

**MOTION TO RECESS**

On motion of Senator Brooks, the Senate at 1:11 p.m. agreed to recess, upon the return of the Committees to Notify the Governor and House of Representatives, until 9:30 a.m. tomorrow.

**HOUSE OF REPRESENTATIVES NOTIFIED**

The Committee to Notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Haley for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged by the President.

**GOVERNOR NOTIFIED**

The Committee to Notify the Governor that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Parker for the Committee notified the President and Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged by the President.

**CONGRATULATORY RESOLUTIONS**

**S.C.R. 3** - By Green: Granting the Texas DeMolay Association permission to use the chambers of the Senate and House of Representatives on January 28 and 29, 1989, and February 25 and 26, 1990, for its legislative seminar.

**S.C.R. 7** - By McFarland: Expressing appreciation to W. M. Sustaire for his many years of immeasurable contributions to the City of Euless.

**S.R. 3** - By McFarland: Expressing appreciation to W. M. Sustaire for his many years of immeasurable contributions to the City of Euless.

**S.R. 4** - By Ratliff: Extending congratulations to Paris High School Wildcats.

**RECESS**

In accordance with a motion previously adopted, the Senate at 1:23 p.m. recessed until 9:30 a.m. tomorrow.

**FIRST DAY**

(Continued)

(Wednesday, January 11, 1989)

**AFTER RECESS**

The Senate met at 9:30 a.m. and was called to order by the President.

**SENATE STANDING COMMITTEES**

The President announced the appointment of the following as Standing Committees of the 71st Legislature:

**CRIMINAL JUSTICE**

McFarland, Chairman  
Brown, Vice Chairman

**ECONOMIC DEVELOPMENT**

Harris, Chairman  
Green, Vice Chairman

Dickson  
Lyon  
Santiesteban  
Tejeda  
Washington

Bivins  
Carriker  
Dickson  
Haley  
Henderson  
Leedom  
Ratliff  
Sims  
Whitmire

#### EDUCATION

Parker, Chairman  
Truan, Vice Chairman  
Barrientos  
Brooks  
Edwards  
Green  
Haley  
Johnson  
Krier  
Uribe  
Zaffirini

#### FINANCE

Caperton, Chairman  
Glasgow, Vice Chairman  
Barrientos  
Brooks  
Harris  
Johnson  
Krier  
McFarland  
Montford  
Parker  
Santiesteban  
Sims  
Truan

#### HEALTH AND HUMAN SERVICES

Brooks, Chairman  
Uribe, Vice Chairman  
Edwards  
Johnson  
Parmer  
Tejeda  
Truan  
Whitmire  
Zaffirini

#### SUBCOMMITTEE ON HEALTH SERVICES

Truan, Chairman  
Whitmire, Vice Chairman  
Edwards  
Tejeda  
Uribe

#### INTERGOVERNMENTAL RELATIONS

Parmer, Chairman  
Leedom, Vice Chairman  
Armbrister  
Barrientos  
Brown  
Carriker  
Haley  
Ratliff  
Tejeda  
Washington  
Whitmire

#### SUBCOMMITTEE ON URBAN AFFAIRS

Whitmire, Chairman  
Barrientos, Vice Chairman  
Leedom  
Tejeda  
Washington

**JURISPRUDENCE**

Glasgow, Chairman  
Henderson, Vice Chairman  
Bivins  
Caperton  
Dickson  
Krier  
Parker

**NATURAL RESOURCES**

Santiesteban, Chairman  
Lyon, Vice Chairman  
Armbrister  
Bivins  
Brown  
Carriker  
Montford  
Ratliff  
Sims  
Uribe  
Zaffirini

**SUBCOMMITTEE ON  
AGRICULTURE**

Sims, Chairman  
Armbrister, Vice Chairman  
Bivins  
Carriker  
Lyon  
Zaffirini

**SUBCOMMITTEE ON WATER**

Uribe, Chairman  
Brown, Vice Chairman  
Montford  
Ratliff

**STATE AFFAIRS**

Montford, Chairman  
Henderson, Vice Chairman  
Armbrister  
Caperton  
Edwards  
Glasgow  
Green  
Harris  
Leedom  
Lyon  
McFarland  
Parmer  
Washington

**SUBCOMMITTEE ON ELECTIONS**

Lyon, Chairman  
Edwards, Vice Chairman  
Green  
Henderson  
Washington

**SPECIAL COMMITTEES****ADMINISTRATION**

Sims, Chairman  
Brooks, Vice Chairman  
Caperton  
Edwards  
Glasgow  
Harris  
McFarland  
Montford  
Parker  
Parmer  
Santiesteban

**NOMINATIONS**

Edwards, Chairman  
Harris, Vice Chairman  
Armbrister  
Brooks  
Henderson  
McFarland  
Uribe

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and filed with the Secretary of the Senate:

**PROCLAMATION  
BY THE  
GOVERNOR OF THE STATE OF TEXAS**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

January 11, 1989

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
SEVENTY-FIRST LEGISLATURE IN REGULAR SESSION:

Pursuant to Article III, Section 5 of the Texas Constitution, I hereby designate as an emergency matter, legislation relating to workers' compensation reform.

Respectfully submitted,

/s/W. P. Clements, Jr.  
William P. Clements, Jr.  
Governor

**SENATE RULE 103 SUSPENDED**

On motion of Senator Montford and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on State Affairs might meet at 12:00 noon today.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

On motion of Senator Parmer and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 1** by Parmer, Truan, Health and Human Services  
Edwards, Glasgow  
Relating to medical assistance claims or liens.

**S.B. 2** by Santiesteban, Uribe, Truan, Natural Resources  
Montford, Zaffirini  
Relating to the authorization, administration, and funding of the economically depressed area water assistance program; providing for the issuance of bonds; providing a criminal penalty.

**S.B. 3** by Tejeda State Affairs  
Relating to political contributions in connection with certain judicial offices; providing a criminal penalty.

**S.B. 4** by Uribe Education  
Relating to the designation of upper-level educational centers as upper-level institutions and to the removal of the coordinating board's authority to discontinue the institutions.

**S.B. 5** by Brown, Brooks, Parker, Natural Resources  
Armbrister, Uribe  
Relating to the establishment and maintenance of artificial reefs; establishing an artificial reef fund; making an appropriation.

**S.B. 6** by Green Education  
Relating to safety belts and seat backs on school buses.

- S.B. 7 by Green** Intergovernmental Relations  
Relating to additional compensation for Harris County appellate and district court justices and judges.
- S.B. 8 by Green** Intergovernmental Relations  
Relating to bid security for certain navigation districts.
- S.B. 9 by Green** Criminal Justice  
Relating to quorum requirements for grand juries.
- S.B. 10 by Green** Economic Development  
Relating to the maintaining and renting of safe deposit boxes by a bank or private safe deposit company.
- S.B. 11 by Uribe** State Affairs  
Relating to the establishment and operation of a state lottery; providing penalties.
- S.B. 12 by Sims** Criminal Justice  
Relating to the creation of the offense of arson of open-space land.
- S.B. 13 by Sims** State Affairs  
Relating to the issuance of special license plates to operators of mobile amateur radio equipment.
- S.B. 14 by Barrientos** Criminal Justice  
Relating to definitions, punishment for offenses, and regulation of delivery of substances under the Texas Controlled Substances Act and to the definition of "dangerous drug" under the Dangerous Drugs Act.
- S.B. 15 by Sims** Intergovernmental Relations  
Relating to the jurisdiction of the County Court at Law of Medina County and to certain fees in that court.
- S.B. 16 by Sims** Intergovernmental Relations  
Relating to the eligibility of certain counties to impose a tax on occupancy in a hotel, motel, or similar facility.
- S.B. 17 by Washington** State Affairs  
Relating to state purchasing contracts, state public works contracts, and contractors who are women and who belong to certain disadvantaged minority groups.
- S.B. 18 by Washington, Glasgow** Finance  
Relating to the compensation of a retired judge assigned as a visiting judge.
- S.B. 19 by Washington** Criminal Justice  
Relating to the time limitations applicable to the prosecution of a criminal case.
- S.B. 20 by Washington** Education  
Relating to corporal punishment in public schools.
- S.B. 21 by Washington** Economic Development  
Relating to the payment of benefits under personal injury protection insurance coverage.
- S.B. 22 by Washington, Edwards** Criminal Justice  
Relating to the creation of the offense of hate crime and the offense of institutional vandalism; allowing civil action for such crimes and requiring reports of such crimes.
- S.B. 23 by Washington** Criminal Justice  
Relating to the repeal of the offense of homosexual conduct.

- S.B. 24** by Washington Intergovernmental Relations  
Relating to the authority of a commissioners court of a county to engage in community and economic development projects.
- S.B. 25** by Washington Economic Development  
Relating to creation and operation of excess health insurance pools for AIDS.
- S.B. 26** by Washington, Santiesteban Criminal Justice  
Relating to the expunction of arrest records.
- S.B. 27** by Washington State Affairs  
Relating to discrimination in employment, housing, and public facilities because a person has or is perceived as having AIDS, HIV infection, or AIDS-related complex; providing criminal and civil penalties.
- S.B. 28** by Armbrister Finance  
Relating to the application of sales and use taxes to certain purchases of machinery, equipment, and related property used for manufacturing and other commercial purposes.
- S.B. 29** by Barrientos, Johnson, Criminal Justice  
Glasgow, Montford  
Relating to chemical precursor record-keeping, reporting, and transfer requirements and penalties; to chemical precursor transfer permits; and to the creation of the offense of unlawful transfer or receipt of a chemical precursor.
- S.B. 30** by Lyon State Affairs  
Relating to the penalty imposed for failure to maintain financial responsibility in an accident involving bodily injury or death.
- S.B. 31** by Sims Jurisprudence  
Relating to the liability of a landowner for injury to a person on his property.
- S.B. 32** by Sims Criminal Justice  
Relating to the creation of the offense of criminal trespass onto property from a state-owned river.
- S.B. 33** by Sims Intergovernmental Relations  
Relating to eminent domain proceedings.
- S.B. 34** by Barrientos State Affairs  
Relating to the computation of certain service retirement annuities payable by the Employees Retirement System of Texas.
- S.B. 35** by Uribe Health and Human Services  
Relating to indoor air quality; providing penalties.
- S.B. 36** by Sims Natural Resources  
Relating to notice concerning use of private property separated from a state park by a river, creek, or stream.
- S.B. 37** by Glasgow Finance  
Relating to salaries of certain judges and justices; making an appropriation.
- S.B. 38** by Glasgow Intergovernmental Relations  
Relating to the inclusion of Tarrant County District Court magistrates in the listings of magistrates and of courts with criminal jurisdiction.
- S.B. 39** by Green Jurisprudence  
Relating to fingerprinting and photographing a child found to have engaged in delinquent conduct.



- S.B. 40** by Green, Tejada Education  
Relating to the assessment of minimum skills of students at the first grade level.
- S.B. 41** by Lyon Health and Human Services  
Relating to the required wearing of protective headgear by motorcycle riders.
- S.B. 42** by Parker State Affairs  
Relating to the failure to secure a child in a child passenger safety seat system.
- S.B. 43** by Parker Natural Resources  
Relating to the appointment of members to the Parks and Wildlife Commission.
- S.B. 44** by Green Jurisprudence  
Relating to the adjudication and disposition of a child for failure to give information and render aid at the scene of certain accidents.
- S.B. 45** by Green State Affairs  
Relating to credit in the Teacher Retirement System of Texas for accumulated sick leave.
- S.B. 46** by Barrientos State Affairs  
Relating to death benefits payable by the Employees Retirement System of Texas.
- S.B. 47** by Uribe, Truan Education  
Relating to Pan American University and Pan American University at Brownsville.
- S.B. 48** by McFarland Criminal Justice  
Relating to the filing of a complaint in municipal court.
- S.B. 49** by Leedom Criminal Justice  
Relating to fees for certain court services.
- S.B. 50** by Leedom Criminal Justice  
Relating to the punishment for burglary of coin-operated or coin collection devices.
- S.B. 51** by Barrientos Intergovernmental Relations  
Relating to the authority of a municipality to annex certain political subdivisions and to the authority of the subdivisions' governing bodies to continue in existence after the annexation.
- S.B. 52** by Glasgow Intergovernmental Relations  
Relating to the places at which the commissioners court of a county may meet.
- S.B. 53** by Glasgow, Edwards State Affairs  
Relating to a prohibition on certain activities of former state officers or employees; providing a penalty.
- S.B. 54** by Brown Criminal Justice  
Relating to the reenactment of the law relating to jury instructions on good conduct time and parole.
- S.B. 55** by Brown, Bivins Criminal Justice  
Relating to the admissibility in a criminal proceeding of an oral or sign language statement made by the accused as a result of custodial interrogation.
- S.B. 56** by Brown, Zaffirini, Brooks Criminal Justice  
Relating to the murder of an individual under six years of age.
- S.B. 57** by Brown Criminal Justice  
Relating to the definitions of "antique firearm" and "firearm" for the purposes of weapons offenses.

- S.B. 58** by Barrientos, Montford State Affairs  
Relating to the amounts of certain annuities payable by the Employees Retirement System of Texas.
- S.B. 59** by Tejeda Criminal Justice  
Relating to the punishment of murder during the commission or attempted commission of certain aggravated felonies under the Texas Controlled Substances Act as a capital offense.
- S.B. 60** by McFarland Criminal Justice  
Relating to the preservation of evidence of certain criminal convictions.
- S.B. 61** by Montford, Santiesteban State Affairs  
Relating to the issuance of Texas water development bonds.
- S.B. 62** by Sims Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Pecos County Underground Water Conservation District No. 4.
- S.B. 63** by Lyon Intergovernmental Relations  
Relating to signal lamps on emergency vehicles used by volunteer fire fighters.
- S.B. 64** by Sims Natural Resources  
Relating to a system of arbitration for seed performance disputes.
- S.B. 65** by Whitmire Intergovernmental Relations  
Relating to a prohibition on certain local officials serving on the board of directors of a utility.
- S.B. 66** by Whitmire, Brown Intergovernmental Relations  
Relating to the assignment of visiting judges.
- S.B. 67** by Whitmire, Barrientos State Affairs  
Relating to repeal of the fee for dismissal of a charge for failure to maintain financial responsibility.
- S.B. 68** by Dickson State Affairs  
Relating to the dates on which primaries occur.
- S.B. 69** by Green, Henderson State Affairs  
Relating to designating Beltway 8 as the Sam Houston Memorial Parkway.
- S.B. 70** by Green Jurisprudence  
Relating to the period after the issuance of a marriage license that the marriage ceremony may take place.
- S.B. 71** by Green Jurisprudence  
Relating to temporary restraining orders in suits affecting the parent-child relationship brought by a governmental entity.
- S.B. 72** by Green Criminal Justice  
Relating to the admissibility of a statement of a child.
- S.B. 73** by Carriker, Brooks Finance  
Relating to appropriation of funds to Midwestern State University to construct a new spillway for Sikes Lake.
- S.B. 74** by Johnson Jurisprudence  
Relating to a landlord's and tenant's duties and remedies.
- S.B. 75** by Johnson, Parmer State Affairs  
Relating to discrimination in certain transactions concerning housing; providing civil and criminal penalties.

- S.B. 76 by Johnson Jurisprudence  
Relating to a penalty in a residential lease for the late payment of rent.
- S.B. 77 by Parker Education  
Relating to proprietary schools; providing a civil penalty.
- S.B. 78 by Parker Education  
Relating to the expenditure of constitutionally appropriated funds at Lamar University at Port Arthur and Lamar University at Orange.
- S.B. 79 by Uribe Intergovernmental Relations  
Relating to an automobile allowance for district judges.
- S.B. 80 by Uribe Health and Human Services  
Relating to the regulation of persons engaged in the business of removing asbestos from public buildings, disturbing or encapsulating that asbestos; providing for fees; providing penalties; and declaring an emergency.
- S.B. 81 by Santiesteban Health and Human Services  
Relating to the removal or exclusion of a child from the child's home and to findings by a court in making certain emergency orders with respect to a child.
- S.B. 82 by Parker Education  
Relating to the Texas Higher Education Coordinating Board's duty to devise formulas to be used in making appropriations recommendations to the legislature for institutions of higher education and to the Legislative Budget Board's duty regarding those formulas.
- S.B. 83 by Parker Education  
Relating to providing incentive funding to public junior colleges that graduate students who transfer to senior colleges and universities and complete a certain number of academic courses at those institutions.
- S.B. 84 by Barrientos State Affairs  
Relating to requirements regarding state, executive, legislative, and judicial employees injured on the job.
- S.B. 85 by Whitmire, Brooks Criminal Justice  
Relating to the making of payments to a crime stoppers program as a condition of probation.
- S.B. 86 by Henderson State Affairs  
Relating to a deed of trust on a homestead.
- S.B. 87 by Tejeda Intergovernmental Relations  
Relating to retirement benefits and administration of and member contributions in certain retirement systems for fire and police personnel.
- S.B. 88 by Brown Intergovernmental Relations  
Relating to business entities that are exempt from taxation in an emergency services district.
- S.B. 89 by Brown Jurisprudence  
Relating to the child support service fee in Brazoria, Fort Bend, Matagorda, and Wharton counties.
- S.B. 90 by Montford, Bivins, Ratliff, Finance  
Krier, Carriker, Edwards, Glasgow, Brown  
Relating to an emergency appropriation to defray the expense of staff group insurance at public junior and community colleges.

- S.B. 91** by Sims Administration  
Relating to the types of plants and trees used in landscaping the Texas State Capitol grounds.
- S.B. 92** by Sims Intergovernmental Relations  
Relating to the geographical area in which a county may regulate outdoor lighting affecting an astronomical observatory.
- S.B. 93** by Santiesteban Criminal Justice  
Relating to the issuance of a subpoena for the purpose of discovering the location of a person indicted on a criminal charge.
- S.B. 94** by Henderson, Edwards State Affairs  
Relating to the establishment of a college and university savings bonds program; authorizing the issuance of bonds.
- S.B. 95** by Parker, Zaffirini Education  
Relating to school guidance counselors.
- S.B. 96** by Parker Education  
Relating to foreign exchange teachers.
- S.B. 97** by Edwards, Glasgow, Carriker, Health and Human Services  
Parmer, Truan  
Relating to income eligibility for nursing home care.
- S.B. 98** by Harris Economic Development  
Relating to the governing board, regulation, and authority of group hospital service corporations.
- S.B. 99** by Green Criminal Justice  
Relating to the admissibility of evidence of intoxication in a criminal case.
- S.B. 100** by Green State Affairs  
Relating to fire protection standards for buildings owned or leased by the state.
- S.B. 101** by Leedom State Affairs  
Relating to creating the printing and graphic arts division within the State Purchasing and General Services Commission.
- S.B. 102** by Leedom State Affairs  
Relating to the creation of the State Trust Fund Investment Review Council and the review of investment of certain state funds.
- S.B. 103** by Leedom State Affairs  
Relating to candidacy for two or more offices to be voted on at one or more elections held on the same day.
- S.B. 104** by Leedom State Affairs  
Relating to improving mail management in executive agencies.
- S.B. 105** by Armbrister Economic Development  
Relating to the penalty for delay in payment of losses under life, health, and accident insurance.
- S.B. 106** by Armbrister State Affairs  
Relating to submission of evidence of financial responsibility on inspection of a motor vehicle and insurer notice of canceled liability insurance.
- S.B. 107** by Uribe Health and Human Services  
Relating to the practice of lay midwifery; revising Article 4512i, Vernon's Texas Civil Statutes; providing for administrative and civil penalties; providing for fees; and declaring an emergency.

- S.B. 108** by Tejeda Health and Human Services  
Relating to fees charged under the Emergency Medical Services Act.
- S.B. 109** by Santiesteban Criminal Justice  
Relating to a requirement that a defendant released on parole or mandatory supervision reside in the county in which the defendant committed the offense for which the defendant was sentenced.
- S.B. 110** by Santiesteban Intergovernmental Relations  
Relating to improvement district finances, reports, supplies, and expenditures.
- S.B. 111** by Santiesteban Intergovernmental Relations  
Relating to the authority of a municipality to annex certain political subdivisions and to the authority of the subdivisions' governing bodies to continue in existence after the annexation.
- S.B. 112** by Leedom State Affairs  
Relating to the composition and duties of the Productivity Bonus Commission.
- S.B. 113** by Henderson Natural Resources  
Relating to the confirmation election for certain regional water districts.
- S.B. 114** by Armbrister Health and Human Services  
Relating to the disclosure of test results for AIDS or HIV infection, antibodies to HIV, or infection from any other probable cause of AIDS.
- S.B. 115** by Krier Health and Human Services  
Relating to the regulation of the sale or provision of tobacco products; providing penalties.
- S.B. 116** by Johnson State Affairs  
Relating to the award of state purchasing contracts, state construction contracts, and state bond contracts to contractors who are women or who belong to certain minority groups; providing a penalty.
- S.B. 117** by Johnson State Affairs  
Relating to the prohibition of discrimination in certain public accommodations and associations; providing a criminal penalty.
- S.B. 118** by Johnson Criminal Justice  
Relating to the offense of selling, transferring, or otherwise furnishing a chemical precursor substance.
- S.B. 119** by Edwards, Carriker, Dickson State Affairs  
Relating to the designation of April 9 as "Former Prisoners of War Recognition Day."
- S.B. 120** by Brooks, Truan Health and Human Services  
Relating to smoking in public places or at public meetings; providing penalties.
- S.B. 121** by Armbrister State Affairs  
Relating to issuance of personalized prestige license plates.
- S.B. 122** by Truan, Zaffirini, Uribe Education  
Relating to the governance, operation, funding, name, and mission of Texas A&I University, Corpus Christi State University, and Laredo State University as component institutions of The Texas A&M University System, to the composition, powers, and duties of that system, and to the funding of Del Mar College as affected by the mission of Corpus Christi State University.

- S.J.R. 2** by Uribe State Affairs  
Proposing a constitutional amendment relating to the establishment of a state lottery.
- S.J.R. 3** by Green State Affairs  
Proposing a constitutional amendment relating to the terms of office of district judges.
- S.J.R. 4** by Brown Criminal Justice  
Proposing a constitutional amendment authorizing jury instructions on good time and eligibility for parole and mandatory supervision.
- S.J.R. 5** by Montford, Santiesteban State Affairs  
Proposing a constitutional amendment to authorize the issuance of an additional \$500 million of Texas water development bonds for water supply, water quality, and flood control purposes.
- S.J.R. 6** by Bivins Finance  
Proposing a constitutional amendment to prohibit the imposition of personal or corporate net income taxes.
- S.J.R. 7** by Lyon State Affairs  
Proposing a constitutional amendment providing for the election of justices to the supreme court from single-member districts.
- S.J.R. 8** by Henderson State Affairs  
Proposing a constitutional amendment providing for the issuance of general obligation bonds to provide the public with an investment alternative to use in financing a college education.
- S.J.R. 9** by Johnson State Affairs  
Proposing a constitutional amendment authorizing the legislature to provide for the election of justices to the courts of appeals from single-member or multimember districts.
- S.J.R. 10** by Johnson State Affairs  
Proposing a constitutional amendment providing for the election of justices to the supreme court and judges to the court of criminal appeals from single-member districts.
- S.J.R. 11** by McFarland, Bivins, Santiesteban, Finance  
Johnson  
Proposing a constitutional amendment to authorize the exemption from ad valorem taxation certain personal property temporarily in the state for certain purposes.
- S.C.R. 2** by Parker Administration  
Creating the Texas State Artist Committee to designate Texas State Artists for the years of 1989, 1990 and 1991.
- S.C.R. 5** by Johnson State Affairs  
Requesting the 101st Congress of the United States to pass amendments to the United States Constitution.
- S.C.R. 6** by Armbrister State Affairs  
Requesting the Federal Energy Regulatory Commission to reconsider the agreement allowing natural gas pipeline construction between Canada and the United States until the mismatched rate problem is resolved.
- S.R. 2** by Truan State Affairs  
Urging the Public Utility Commission to promptly docket for hearing the Original Petition filed by the Office of Public Utility Counsel on January 17, 1988 to ascertain the amount of overcharges.

**GUEST PRESENTED**

Senator Henderson was recognized and presented Dr. Jack Haley of Houston.

Dr. Haley, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

**SENATE RESOLUTION 9**

Senator Barrientos offered the following resolution:

**S.R. 9**, Declaring January 12, 1989, as Austin Lyric Opera Day.

The resolution was read and was adopted viva voce vote.

**SENATE NOTIFIED**

A Committee from the House of Representatives appeared at the Bar of the Senate and Representative Granoff for the Committee notified the President and Members of the Senate that the House was organized and ready to transact business.

**MESSAGE FROM THE HOUSE**

House Chamber  
January 11, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 7**, Commemorating the Sesquicentennial of Austin as the State Capital.

**H.C.R. 25**, Honoring Marlin Johnston on service to the State of Texas.

**S.C.R. 9**, Granting permission to adjourn from January 11 to January 16, 1989.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**CONGRATULATORY RESOLUTIONS**

**H.C.R. 7 - (Barrientos)**: Commemorating the Sesquicentennial of Austin as the State Capital.

**S.R. 8 - By Brown**: Extending congratulations to First Baptist Church of Houston.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 10:58 a.m. adjourned until 11:00 a.m. Monday, January 16, 1989.